



Entered on Docket
July 29, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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Wells Fargo Home Mortgage Inc.
09-73467 / 0206325292

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

George E. Bates, III and Tonya R. Bates

Debtors.

08-14122-mkn

Motion no.
Date: 10/15/08
Time: 1:30 p.m.

Chapter 13

ORDER VACATING AUTOMATIC STAY

Pursuant to the Declaration re Breach of Condition filed on July 8, 2009 and Debtors failure to cure the default prior to its expiration, and good cause appearing.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to Secured Creditor, Wells Fargo Home Mortgage Inc. its assignees and/or successors in interest, and Secured Creditor may proceed with a foreclosure of and hold a Trustee's Sale of the subject property, generally described as 6720 Maple Mesa St. , North Las Vegas NV and legally described as follows:

PARCEL ONE (1)

LOT 298 IN BLOCK 8 OF THE PARKS UNIT 4, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 94 OF PLATS, PAGE 35, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL TWO (2)

A NON-EXCLUSIVE EASEMENT OF INGRESS AND EGRESS, USE AND ENJOYMENT OVER THE COMMON ELEMENTS AND PRIVATE STREETS AS SHOWN IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE PARKS HOMOWNERS ASSOCIATION RECORDED AUGUST 18, 2000 IN BOOK 20000818, AS DOCUMENT NO. 01058, AS THE SAME MAY TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

pursuant to applicable State Laws, and thereafter commence any action necessary to obtain complete possession of the subject property.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the

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1 foreclosure sale.

2 DATED this _____ day of _____, 2009.

3
4 Submitted by:
5 Wilde & Associates

6 /s/ Gregory L. Wilde

7 By _____
8 **GREGORY L. WILDE, ESQ.**
9 Attorney for Secured Creditor
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